

### **REMARKS**

The Office Action of June 4, 2009, has been reviewed and these remarks are responsive thereto. Claims 1, 5, 8, 9, 12, 13, 16, 19, 20, 23, 27, 30, 31 and 35-40 have been amended. Claims 10, 21, 29 and 33 have been canceled without prejudice or disclaimer. New claims 41-48 have been added. No new matter is introduced with this addition. Upon entry of the present Amendment, claims 1-3, 5, 8, 9, 12-14, 16, 19-20, 23-25, 27, 30, 31 and 35-48 are pending in the application. Reconsideration and allowance of the instant application are respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 1-3, 5, 8-10, 12-14, 16, 19-21, 23-25, 27, 29-31, 33 and 35-40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (US Patent No. 5,623,613, hereinafter “Rowe”) in view of Boylan et al. (US Patent Application Publication No. 2002/0166120, hereinafter “Boylan”). Applicants respectfully traverse these rejections, especially insofar as they may be applied to the claims as amended.

Amended claim 1 recites, among other features, the following (emphasis added):

a first unit configured to generate an interactive three-dimensional (3-D) electronic programming guide (EPG), the 3-D EPG including a presentation of a virtual world having programming information and a layout; and

...

wherein the first unit is further configured to allow selection of a 3-D EPG world from the database and modify the layout of the presented virtual world based on the virtual world layout of the selected 3-D EPG world.

The Office Action relies on Rowe as teaching the features of a first unit configured to generate an interactive three-dimensional electronic programming guide (EPG) and a database for providing a plurality of 3-D EPG worlds. However, in Rowe, a selection of a category or subcategory, which the Office Action alleges, constitutes a plurality of 3-D EPG worlds, does not modify the layout of the presented virtual world, as recited in claim 1. Instead, a selection of a category or subcategory, according to the system of Rowe, will cause the program display area to display programs associated with the selections (e.g., col. 9, lines 46-67), and/or cause the program summary panel to change its displayed information (e.g., col. 14, lines 8-40). None of these responses to selection of a category or subcategory (the alleged plurality of 3-D EPG worlds) constitute modifying the “layout of the presented virtual world based on the virtual world layout of the selected 3-D EPG world” as claimed by Applicants (emphasis added).

Additionally, the layout of the system of Rowe remains fixed and unchanged throughout its operation. For example, Rowe describes an electronic programming guide with a schedule display that has a subcategory display sandwiched between a category display and a program display (e.g., col. 7, lines 33-48), and a fixed viewing panel on the central portion of the schedule display (e.g., col. 7, lines 50-53). This unchanging layout of Rowe further illustrates that Rowe fails to teach or suggest modifying the “layout of the presented virtual world based on the virtual world layout of the selected 3-D EPG world.” (Emphasis added.)

For at least these reasons, Applicants submit that Rowe fails to teach or suggest the features recited in claim 1. The addition of Boylan fails to cure the deficiencies of Rowe with respect to claim 1.

Accordingly, Applicants submit that independent claim 1 distinguishes over the art of record, and is in condition for allowance. Claims 2, 3, 5, 8-10, and 35-37 depend from claim 1, and are

distinguishable from the cited references for at least the same reasons as claim 1, and further in view of the various novel and non-obvious features recited therein.

Independent claims 12 and 23 have been amended to recite language similar to claim 1 and are allowable for at least the same reasons as discussed above with respect to claim 1. For instance, claim 12 recites the following (emphasis added):

generating an interactive three-dimensional (3-D) electronic programming guide (EPG), the 3-D EPG including a presentation of a 3-D virtual world having programming information and a layout;

...

modifying the layout of the presented 3-D virtual world based on the virtual world layout of a selected 3-D EPG world.

Amended claim 23 recites the following (emphasis added):

generating an interactive 3-D electronic programming guide (EPG), the 3-D EPG including a presentation of a 3-D virtual world having programming information and a layout;

...

modifying the layout of the presented 3-D virtual world using the virtual world layout of a selected 3-D EPG world.

As discussed above, none of the cited references, alone or in combination, teaches or suggests modifying the layout of the presented 3-D virtual world based on the virtual world layout of a selected 3-D EPG world, as recited in claims 12 and 23. Accordingly, claims 12 and 23 patentably distinguish over the cited combination of references.

Dependent claims 13, 14, 16, 19, 20, 24, 25, 27, 30, 31 and 38-40 depend from claims 12 and 23 and are allowable over the cited references for at least the same reasons as their base claims, and further in view of the various novel and non-obvious features recited therein.

***New Claims***

New claims 41-48 have been added. Support for these new claims can be found throughout the originally filed specification, claims and figures and at least at paragraphs [0025], [0032], [0034], [0035] and [0037]. Although these claims have not been rejected, Applicants provide the following remarks in support of these claims.

Claims 41-46 depend from claim 1, claim 47 and 48 depend from claims 12 and 23, respectively, and are allowable for at least the same reasons as discussed above with respect to their base claims. For example, new claim 42 recites that the plurality of 3-D EPG worlds includes “a first world, having a first layout, and a second world, having a second layout that is different than the first layout.” Neither Rowe or Boylan teaches or suggests such a feature.

**CONCLUSION**

All issues having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,  
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